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FOLEY & LARDNER
321 North Clark Street
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Chicago, IL 60610-4764

In re application of

Norman Feuer et al.

Application No. 09/872,224

Filed: June 1, 2001

For: NETWORKED BROADCASTING
SYSTEM AND TRAFFIC SYSTEM FOR
MULTIPLE BROADCASTS

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on December 16, 2004, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

The request to withdraw as attorney is not accepted in the above-identified application because the request lacks condition A) and B) above.

As to condition A), Because the USPTO does not recognize law firms, the request made upon behalf of the attorneys of a particular firm is insufficient. The attorney should be signing on behalf of all the attorneys of record in this application.

As to condition B), given the statements included in the request that, "The assignee as giving permission. Since there is no assignee of record that reason is unacceptable.



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KJD/slb: 03/16/06